



California Regional Water Quality Control Board

Los Angeles Region



Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

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Arnold Schwarzenegger
Governor

TO: Interested Persons

FROM: Deborah J. Smith
Chief Deputy Executive Officer

DATE: February 17, 2005

**SUBJECT: MARCH 3, 2005 PUBLIC WORKSHOP ON AN ORDER TO CONDITIONALLY
WAIVE WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES FROM
IRRIGATED LANDS**

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is developing a conditional waiver for irrigated lands. The tentative order to waive discharge requirements, the tentative monitoring and reporting programs associated with the conditional waiver, the Initial Study and California Environmental Quality Act checklist, and other documentation describing the Conditional Waiver for Irrigated Lands are available on the regional board website, <http://www.waterboards.ca.gov/losangeles/html/permits/waivers/waivers.html>. If you do not have access to the Internet, please contact Sandra Kelley at (213) 576-6619 for a copy of the documents.

A workshop before the Regional Board will be held to review the proposed the Conditional Waiver for Irrigated Lands and solicit input from stakeholders and the public. The Regional Board may provide guidance to staff to revise the tentative Conditional Waiver.

Public Workshop
Thursday, March 3, 2005
12:30 p.m.
Council Chambers
2929 Tapo Canyon Road
Simi Valley, California

The Conditional Waiver will then be considered for adoption at a subsequent Regional Board hearing. Written comments on the conditional waiver for irrigated lands are due to the Regional Board on April 5, 2005. Please submit written comments to:

Elizabeth Erickson
Regional Water Quality Control Board, Los Angeles Region
320 W. 4th St., Suite 200
Los Angeles, CA 90013
(213) 576-6683

California Environmental Protection Agency



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Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Background on the Conditional Waiver for Irrigated Lands

The Regional Water Quality Control Board (Regional Board) regulates discharges of waste primarily through issuance of Waste Discharge Requirements (WDRs) and National Pollutant Discharge Elimination (NPDES) permits. The California Water Code (CWC) requires that anyone discharging or proposing to discharge waste that could affect water quality to file a report of waste discharge (ROWD). After receipt of a ROWD, the Regional Board prescribes WDRs or an NPDES Permit Order. Irrigation return flows and storm water discharges from agricultural lands are currently exempted from the NPDES permit program. The CWC (§13269) allows regional boards to waive the requirement to adopt waste discharge requirements for specific types of discharge if the waiver is not against the public interest.

Regional Board staff developed a tentative Conditional Waiver for Irrigated Lands to update the regulation of discharges from agricultural sources in the Los Angeles Region. Several regulatory initiatives precipitated this update, including Senate Bill 390, the 2004 Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program, and TMDL and other watershed studies showing the impact of agricultural activities to water quality in Calleguas Creek and other waterbodies in Ventura County. Conditional Waivers for Irrigated Lands have been adopted by the RWQCB, Central Coast (Region 3) and the Regional Board, Central Valley (Region 5). Although Region 5's conditional waiver has been legally challenged, monitoring programs have been initiated in both Regions.

The tentative Conditional Waiver for the Los Angeles Region requires dischargers to comply individually with the waiver conditions or participate in a group that complies with the waiver conditions. The key provisions for the waiver require dischargers to:

- Submit a Notice of Intent to Comply or participate in a group intending to comply with the Conditions of the Conditional Waiver;
- Conduct wet and dry weather monitoring of discharge or receiving water;
- Develop a water quality management plan;
- Implement best management practices in accordance with approved water quality management plans;
- Submit annual reports for monitoring and the water quality management plan.



At the public workshop on March 3, 2005, staff will present the tentative conditional waiver. At the public workshop, the Regional Board will be asked to review and provide direction to staff to make appropriate revisions to the tentative conditional waiver. The Regional Board will consider formal action on the conditional waiver at a later date.

Written and oral comments will be accepted prior to and at the Board workshop. Any person may present relevant statements or arguments. Oral presentations should be summarized in writing to the extent possible. If necessary, time limitations on presentations may be imposed. Written comments should be submitted to the Regional Board at 320 W. 4th St., Suite 200, Los Angeles, CA 90013, ATTN: Elizabeth Erickson. Written comments must be received no later than **April 5, 2005**.

Please share this invitation with other interested persons who may not be included on our distribution list. Interested persons may be added to the interested party list by contacting Elizabeth Erickson at the address above. If you have questions about the workshop or hearing, please contact Elizabeth Erickson at (213) 576-6683 or Sam Unger at (213) 576-6784. We look forward to your continued participation in our efforts to protect water quality.

